

December 3, 2024

VIA ECF

Hon. Arun Subramanian
Daniel Patrick Moynihan
United States Courthouse
500 Pearl Street
New York, NY 10007-1312

**RE: *Patagon Management LLC v. The Aragon Association et al.*,
No. 1:24-cv-08290-AS (S.D.N.Y.)**

Dear Judge Subramanian,

The parties write jointly to seek relief from the portion of the Court's November 4, 2024 Order and Individual Practices requiring submission of a proposed Civil Case Management Plan and Scheduling Order. (See Dkt. No. 10 at 2).

As the parties will explain in further detail in their forthcoming joint letter in advance of the December 11, 2024 initial pre-trial conference (see Dkt. No. 15), the parties have agreed not to pursue discovery prior to the filing of Defendants' forthcoming motions to dismiss, in light of Defendants' belief in the existence of significant and potentially dispositive threshold issues concerning venue and personal jurisdiction, as well as the complexity of obtaining discovery from the Swiss Defendants.

Accordingly, the parties request the Court "SO ORDER" this letter and thereby hold in abeyance the requirement that the parties submit a proposed Civil Case Management Plan and Scheduling Order until such time as the Court deems appropriate.

We thank the Court for its attention to this matter.

Respectfully submitted,

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First of all, the conference on December 11 is rescheduled to 11:30 AM ET due to an ongoing trial. Second, on or before December 6, 2024 at 5pm, defendants should file a letter outlining their position as to why venue and jurisdiction in this Court are improper. On or before December 10, 2024 at 5 pm, plaintiff should file a letter as to why venue and jurisdiction in this Court are proper, or alternatively, indicate its intent to either refile this case elsewhere, drop defendants, etc. The parties should be prepared to address these issues at the conference. If there's subsequently a motion to dismiss and it is opposed, any dismissal for reasons stated in defendants' letter will be without leave to amend in this Court.

The Clerk of Court is requested to terminate the motion at Dkt. 23.

SO ORDERED.

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Arun Subramanian, U.S.D.J.
Dated: December 5, 2024